

REMARKS

This response is submitted in response to the Non-Final Office Action dated March 26, 2010. Claims 42-86 are pending in the present application. Claims 42-63, 81 and 83-86 are rejected in the present application. Claim 45 has been cancelled without prejudice or disclaimer. Claims 42 and 81 are amended herein. The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing. Applicants respectfully submit that the rejections have been overcome, as set forth in detail below.

The Office Action rejected Claims 42-45, 47-52, 56 and 62 under 35 U.S.C. § 103(a) as being unpatentable over WO 00/14819 to Chizawa et al. ("Chizawa") in view of U.S. Patent Pub. No. 2002/0028364 to Kaufmann ("Kaufmann"). Claims 46, 54 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chizawa in view of Kaufmann, as applied to Claims 42, 43, 47 and 48 above, and further in view of U.S. Patent No. 6,277,508 to Reiser et al. ("Reiser"). Claim 53 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chizawa in view of Kaufmann, as applied to Claims 42, 43, 47 and 48 above, and further in view of U.S. Patent Pub. No. 2001/0019793 to Tsuyoshi ("Tsuyoshi"). Claims 57-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chizawa in view of Kaufmann, as applied to Claims 42, 43, 47 and 48 above, and further in view of U.S. Patent Pub. No. 2002/0180448 to Imamura et al. ("Imamura") and U.S. Patent Pub. No. 2002/0168556 to Leboe et al. ("Leboe"). Claims 63 and 81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chizawa in view of Kaufmann, as applied to Claim 42 above, further in view of U.S. Patent Pub. No. 2002/0051898 to Moulthrop, Jr. et al. ("Moulthrop"). Claims 83-84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chizawa in view of Kaufmann, as applied to Claim 42, either as evidenced by or in further view of WO 01/54218 to Koschany ("Koschany"). Claims 85-86 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chizawa in view of Kaufmann and Moulthrop, as applied to Claim 81, either as evidenced by or in further view of Koschany.

Of the rejected claims, Claims 42 and 81 are the sole independent claims. Claim 42 has been amended to recite, at least in part, a fuel cell system including: a power generation unit provided with a conduit for an oxidant gas containing at least oxygen; a heat radiation unit connected to a first side of said power generation unit so as to radiate heat from said power generation unit; a heat transfer portion extending in said heat radiation unit from a separator inside said power generation unit; a gas flow unit configured to suck said oxidant gas into a first

intake port disposed on a second side of said power generation unit; a cooling unit configured to suck said oxidant gas into a second intake port disposed on the second side of said power generation unit and adjacent to said first intake port; a plurality of temperature detectors which detect a temperature of the power generation unit, the heat radiation unit, and the oxidant gas; and a humidity detector which detects a humidity of the oxidant gas, wherein an amount of moisture located inside the power generation unit and a temperature of the power generation unit are determined based on the temperatures detected by the plurality of temperature detectors and the humidity detected by the humidity detector, wherein when the amount of moisture located inside the power generation unit and/or the temperature of the power generation unit deviate from a stable zone of the power generation unit having a proper moisture content and appropriate temperature, the cooling unit is driven independently from said gas flow unit to return a state of the power generation unit to the stable zone, and wherein when the amount of moisture located inside the power generation unit is superfluous, the superfluous moisture is discharged with air by the gas flow unit. Claim 81 has been amended in a similar manner as Claim 42. Support for the amended claims can be found, for example, in paragraphs [0093]-[0097] of the published application U.S. Pub. No. 2005/0255340.

The Chizawa, Kauffmann, Reiser, Tsuyoshi, Imamura, Leboe, Moulthrop and Koschany references, even assuming that they are properly combinable in the manner suggested in the office action, fails to disclose or suggest a heat transfer portion extending in said heat radiation unit from a separator inside said power generation unit, or a plurality of temperature detectors which detect a temperature of the power generation unit, the heat radiation unit, and the oxidant gas; and a humidity detector which detects a humidity of the oxidant gas, wherein an amount of moisture located inside the power generation unit and a temperature of the power generation unit are determined based on the temperatures detected by the plurality of temperature detectors and the humidity detected by the humidity detector, wherein when the amount of moisture located inside the power generation unit and/or the temperature of the power generation unit deviate from a stable zone of the power generation unit having a proper moisture content and appropriate temperature, the cooling unit is driven independently from said gas flow unit to return a state of the power generation unit to the stable zone, and wherein when the amount of moisture located inside the power generation unit is superfluous, the superfluous moisture is discharged with air by the gas flow unit, as recited in amended Claims 42 and 81.

Accordingly, Applicants respectfully request that the 35 U.S.C. §103(a) rejections of Claims 42-63, 81 and 83-86 be withdrawn.

For at least the reasons above, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of same.

Respectfully submitted,

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